

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP NO.18597 of 2006

DATE OF DECISION: December 4, 2006

Balvir Singh and another

....Petitioners

VERSUS

State of Haryana and others

....

Respondents

CORAM:- HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S. BHALLA

PRESENT: Shri Arun Jain, Advocate for the petitioners.

Viney Mittal,J.(Oral).

The petitioners claim that they are co-sharers in the land alongwith respondent No.4 M/s Omaxe Construction Ltd. M/s. Omaxe Construction Ltd. has been granted a licence for setting up a Group Housing Colony, by the Director, Town and Country Planning Department, Haryana, Chandigarh, respondent No.2. The aforesaid licence, according to the petitioner, has been granted, taking into consideration the joint land of the petitioners as well as respondent No.4. It has further been claimed by the petitioners that the said land has not been partitioned so far and on account of the aforesaid fact, the said land could not have been taken into consideration, while granting the licence to respondent No.4. In these circumstances, the petitioners have challenged the grant of licence to respondent No.4.

We have heard the learned counsel for the petitioners and have also taken into consideration the averments made by them in the present petition.

Without commenting upon the merits of the claim made by the petitioners, we dispose of the present petition with a liberty to the petitioners to file a detailed and comprehensive representation before the Director, Town and Country Planning Department, Haryana, respondent No.2 within a period of four weeks from the date a certified copy of this order is received, by appending all the relevant documents. On receipt of the aforesaid representation, the Director, Town and Country Planning Department, Haryana, respondent No.2 shall take into consideration the said representation and pass a detailed and speaking order within a further period of four months. Needless to say that before passing any final order in the matter, a personal hearing to the representatives of the petitioners and respondent No.4 shall be afforded.

A copy of the order be given dasti on payment of usual charges.

(Viney Mittal)
Judge

December 4, 2006
KD

(H.S. Bhalla)
Judge

CWP No.18895 of 2006

Present: Shri Kapil Kakkar, Advocate for the petitioners.

Contends that the advertisement (Annexure P.5) has stipulated that the dependents of ex-servicemen are to be preferred over and above the claim of the ex-servicemen themselves for the grant of admission to Elementary Teachers Training Course. The learned counsel for the petitioners further states that the aforesaid preferences absolutely discriminatory and is unjustified. The learned counsel further maintains that as of today, the selection process/admission process has not been finalised so far.

Notice of motion to the respondents for December 12, 2006.

On the asking of Court, Shri Sukhdip Singh Brar, Additional Advocate General, Punjab accepts notice on behalf of the respondents and prays for time to seek instructions and to file written statement, if required.

Copies of the writ petition shall be supplied to the learned counsel for the respondents, during the course of the day.

In the meantime, if seats are still vacant, the claim of the petitioners for admission to the aforesaid course may also be considered by the respondents.

(Viney Mittal)
Judge

December 4, 2006,
KD

(H.S. Bhalla)
Judge

